

Appl. No.: 10/829,570

Office action date: October 29, 2007

Amend. Date: November 13, 2007

### **REMARKS/ARGUMENTS**

Please reconsider the application in view of the above amendments and the following remarks. Claims 1-22 are in this application. Applicants have amended claims 1, 11, 12, 13, 15, 16, 17, and 18. Applicants have added claims 19, 20, 21 and 22. Applicants have canceled claims 5 and 14.

#### **I. Rejection(s) under 35 U.S.C § 102**

Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al. (U.S. patent 6,314,454). This rejection is respectfully traversed.

Applicants' invention provides a method to alert the recipient of an electronic message of some action that is required from the recipient. The invention also provides a method to monitor the sent message and send periodic reminders to the recipient to respond when the recipient has not responded in a predetermined time period. This method also alerts the sender if the recipient does not respond within the predetermined time period.

Wang et al. provides a system allows users to send certified electronic mail messages. A server receives an electronic mail message designated for certified delivery. The server forwards the electronic mail message to a receiving account. Any action taken upon the message by the receiving account is conveyed to the server, which forwards that information to the sender.

Wang does not describe any actions to remind the recipient of a need to respond to a received message. Wang puts the certified messages in a storage location. At some later time the recipient acts on the message (col. 7, lines 30-33).

Applicants' present invention provides a method that generates a reminder message when the recipient has not taken an action within a defined period of time.

In order to sustain a 102(e) rejection, all elements of the claimed invention must be disclosed in the cited reference. Contrary to the examiner's statement that all steps are disclosed in the cited reference, the step of:

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generating a message at the recipient location to remind the recipient to perform an action in response to the received message, when there is a determination that recipient has not performed an action in response to the received message within a determined period of time;

is not, so the rejection is unsupported by the art and should be withdrawn.

## II. Rejections under 35 U.S.C. 103(a)

Claims 2-10 and 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al (US 6,314,454) as applied to claims 1 and 11 above, in view of Altavilla et al (US 2002/0194280). This rejection is respectfully traversed.

The examiner asserts the Wang does not specifically teach the step of detecting an action-required indicator in the received message. However, Altavilla teaches the step of detecting an action-required indicator in the received message. The examiner further asserts that it would be obvious to a person of ordinary skill in the art to include Altavilla's action indicator in Wang's system because doing so would avoid response delay by reminding the recipient to take action right after *they become* aware of the requirement from the sender based on the action indicator.

Applicant submits that the Examiner has failed to present a prima facie case of obviousness. As indicated by the examiner, Altavilla attempts to avoid a delayed response by reminding a recipient in the message to take an immediate action. As a result, Altavilla does not teach a method that periodically reminds the recipient to respond to a message. Altavilla fails to teach the step of sending periodic reminders to the recipient and actually teaches away from the concept of providing reminders because Altavilla desires an immediate response to message.

For at least these reasons, Applicant submits that the Examiner has failed to establish a prima facie case of obviousness under 35 U.S.C. § 103. Applicant, therefore, respectfully requests withdrawal of the rejection of the claims.

Claims 19 through 22 further claim the steps related to determining when to send a reminder to the recipient to provide a response to an electronic message as shown in Figures 13 and 14.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the telephone number listed below.

Applicants' original application contained 18 claims. Applicants have added four additional claims. However, Applicants have also canceled two. The application as amended contains 20 claims and three independent claims. No other fees are believed to be due. If Applicant is incorrect in this belief, please apply these charges or any credits, to Deposit Account 09-4447 (Reference Number ASU920030591US1).

Respectfully Submitted,



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